

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID PADGHAM and ALEXIS
PADGHAM, and the Marital
Community comprised thereof,

Plaintiff,

v.

CACH, LLC a Colorado Limited
Liability Company,

Defendant.

NO: 2:16-CV-0394-TOR

ORDER OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE

BEFORE THE COURT is Plaintiff's Motion (Notice) of Dismissal (ECF No. 5). Plaintiffs filed this motion of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on December 7, 2016. Because Defendant has neither filed an answer nor moved for summary judgment, Plaintiffs have an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 All claims and causes of action in this matter are **DISMISSED** without
3 prejudice and without costs or fees to any party.

4 All pending motions are denied as moot.

5 The District Court Executive is hereby directed to enter this Order, furnish
6 copies to counsel, and **CLOSE** the file.

7 **DATED** December 7, 2016.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge